

Message Text

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TO USDEL VLADIVOSTOK IMMEDIATE

C O N F I D E N T I A L STATE 258286

TOSEC 306

THE FOLLOWING REPEATS SECSTATE 258286 ACTION
SEOUL TOKYO 22 NOVEMBER 1974. QUOTE:

C O N F I D E N T I A L STATE 258286

TOSEC 306

SEOUL FOR COUNSELOR SONNENFELDT
TOKYO FOR ASSISTANT SECRETARY HARTMAN

FOL REPEAT OF GENEVA 7105 TO SECSTATE NOV 22

QTE:

C O N F I D E N T I A L GENEVA 7105

E.O. 11652: GDS

TAGS: CSCE, PFOR, XG

SUBJECT: CSCE: FAMILY REUNIFICATION TEXT

REF: STATE 257865

1. WE BELIEVE IT WOULD BE VERY DAMAGING TO OUR RELATIONS
WITH THE SOVIETS AND WITH OUT PRINCIPAL ALLIES, ESPECIALLY

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THE FRG, TO CARRY OUT REFTTEL INSTRUCTIONS AT THIS TIME.
DRAFTING CHANGES PROPOSED BY DEPARTMENT WOULD HAVE EFFECT

OF REOPENING ENTIRE FAMILY REUNIFICATION PAPER, IN WHICH SOVIETS, FRG AND OTHER HAVE KEEN (IF CONFLICTING) SUBSTANTIVE INTEREST, AT MOMENT WHEN THAT TEXT IS ON VERGE OF AGREEMENT AFTER MONTHS OF LABORIOUS AND OFTEN ABRASIVE NEGOTIATIONS HERE. DEPART-(MENT'S SUGGESTED FALL BACK POSITION (INTERPRETIVE STATEMENT TO EFFECT THAT PROVISIONS OF FINAL PARAGRAPH IN THE FAMILY REUNIFICATION PAPER ARE NOT INTENDED TO ALTER EXISTING LAW) WOULD, AS DEPARTMENT POINTS OUT, BE AN OPEN INVITATION TO THE SOVIETS TO MAKE SIMILAR STATEMENT WITH RESPECT TO ALL BASKET III ISSUES. OUR ALLIES WOULD THUS REGARD SUCH A US STATEMENT AS UNDERMINING ENTIRE RANGE OF THEIR INTERESTS IN BASKET III.

2. EMOTIONS AMONG SOVIET, FRG AND OTHER DELEGATIONS HERE ARE RUNNING HIGH AT THE MOMENT BECAUSE OF UNFORESEEN PROBLEMS ARISING IN LAST TWO OR THREE DAYS ON FAMILY REUNIFICATION PAPER. THESE DIFFICULTIES RESULT, WE BELIEVE, FROM FAULTY COMMUNICATION BETWEEN EC-NINE DELEGATIONS AND SOVIES, AND NOT RPT NOT FROM LAST MINUTE BREACH OF FAITH BY THE FRG, AS SOVIETS PRIVATELY ALLEGE. THIS TANGLE IS NOW WELL ON THE WAY TO RESOLUTION, AND THE FRG DELEGATION IS SEEKING NEW INSTRUCTIONS, AT THE URGING OF ITS PRINCIPAL ALLIES, WHICH SHOULD SETTLE THE MATTER. NEVERTHELESS, THE CONTRETEMPS HAS REVIVED SOVIET SUSPICIONS THAT THE FRG AND OTHER WESTERN DELEGATIONS ARE CONSPIRING TO DELAY CSCE PROGRESS AND IN PARTICULAR, TO CONTRIVE OBSTACLES THAT WOULD BLOCK AGREEMENT, BEFORE CHRISTMAS RECESS, ON FULL RANGE OF HUMAN CONTACTS ISSUES, A GOAL TO WHICH SOVIETS NOW APPARENTLY ATTACH CONSIDERABLE IMPORTANCE.

3. WERE WE TO REOPEN NOW THE TEXT OF PARA 9 OF THE FAMILY REUNIFICATION PAPER, THESE SOVIET SUSPICIONS WOULD BE POWERFULLY REINFORCED. TEXT IN QUESTION WAS DRAFTED BY THE SOVIET DELEGATION AND HAS BEEN VIRTUALLY UNCHANGED FOR SOME MONTHS. IT WOULD THUS BE IMPOSSIBLE TO PERSUADE HE SOVIETS THAT OUR OBJECTIONS STEM ENTIRELY FROM LEGAL AND TECHNICAL CONSIDERATIONS, CONFIDENTIAL
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AND THEY WOULD ALMOST CERTAINLY IMPUTE UNFRIENDLY POLITICAL MOTIVATIONS TO OUR ACTION.

4. IF, DESPITE THESE CONSIDERATIONS, WE SHOULD MOVE TO SOFTEN THE COMMITMENT IN PARA 9, WHICH REFLECTS SOVIET DESIDERATA, SOVIETS WOULD IN TURN INSIST UPON WEAKENING THEIR COMMITMENT IN ELEMENTS OF THE TEXT IN WHICH FRG IN PARTICULAR HAS A

MAJOR INTEREST. FOR ALL OF THESE REASONS, WE WOULD DE MOST RELUCTANT INDEED TO CARRY OUT DEPARTMENT'S

INSTRUCTIONS IN IMMEDIATE FUTURE.

5. MOREOVER, WE STILL HAVE TIME BOTH TO CONSIDER LESS RADICAL ALTERNATIVES AND THEREAFTER TO PREPARE THE GROUND BILATERALLY, WITH OUT ALLIES AND WITH THE SOVIETS, FOR ANY STEPS WE MAY FEEL OBLIGED TO TAKE. WE COULD DO THIS AFTER CURRENT EMOTIONAL FEVER OVER THIS ISSUE HAS ABATED. EVEN IF THE FAMILY REUNIFICATION TEXT SHOULD BE PROVISIONALLY REGISTERED IN NEXT TEN DAYS, ALL PROVIIONALLY REGISTERED EXTS IN CSCE ARE AD REFERENDUM TO GOVERNMENTS. WE THUS RETAIN OPTION OF REOPENING THE TEXT FOLLOWING ITS PROVISIONAL REGISTRATION. THIS OF COURSE WOULD BE QUITE AWKWARD UNDER BEST OF CIRCUMSTANCES, BUT IT IS DISTINCTLY LESS UNPALATABLE, WE BELIEVE, THAN THE ALTERNATIVE OF STIRRING UP NOW A MAJOR ROW WITH THE SOVIETS, THE FRG AND OTHER ALLIES.

6. WE PLAN TO SUGGEST ASAP SOME ALTERNATIVE WAYS OF DEALING WITH THIS PROBLEM WHICH MIGHT SATISFY DEPARTMENT'S CONCERNS AND BE LESS DAMAGING POLITICALLY THAN APPROACHES OUTLINED REFTEL.ABRAM
UNQUOTE INGERSOLL

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